

WMP  
F. #2013R01203

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

- against -

14 CV 4346 (ENV)

ABRAXAS J. DISCALA,  
MARC E. WEXLER,  
MATTHEW A. BELL,  
CRAIG L. JOSEPHBERG, and  
IRA SHAPIRO,

Defendants.

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NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the accompanying Government's Memorandum of Law in Support of Application To Intervene and To Stay Civil Proceedings, the United States will move this Court on a date and time to be designated by the Court, before the Honorable Eric N. Vitaliano, at the United States Federal Courthouse, 225 Cadman Plaza, Brooklyn, New York 11201, pursuant to Rule 24 of the Federal Rules of Civil Procedure, for

intervention for the purpose of seeking a stay of civil proceedings and for such other relief as the Court deems appropriate.

Dated: Brooklyn, New York  
October 14, 2014

Respectfully submitted,

LORETTA E. LYNCH  
United States Attorney  
Eastern District of New York

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/s/  
Winston M. Paes  
Assistant U.S. Attorney  
(718) 254-6023

Cc: Clerk of the Court (ENV)  
Defense Counsel (By ECF)